

A CERTIFIED TRUE COPY

JUN 30 2004

ATTEST
FOR THE JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

NORTHERN DISTRICT OF TEXAS

IN RE: ~~RELEAD~~

JUL 26 2004

CLERK, U.S. DISTRICT COURT

By _____
Deputy

04 CV 05477

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

JUN 14 2004

DOCKET NO. 1598

JUDGE RAKOFF

FILED
CLERK'S OFFICE

JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

REDRA PRODUCTS LIABILITY LITIGATION

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-2)

3:03-CV-2133-G

On April 13, 2004, the Panel transferred 14 civil actions to the United States District Court for the Southern District of New York for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 74 additional actions have been transferred to the Southern District of New York. With the consent of that court, all such actions have been assigned to the Honorable Jed S. Rakoff.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the Southern District of New York and assigned to Judge Rakoff.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Southern District of New York for the reasons stated in the order of April 13, 2004, ____ F.Supp. 2d ____ (J.P.M.L. 2004), and, with the consent of that court, assigned to the Honorable Jed S. Rakoff.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Southern District of New York. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

Inasmuch as no objection is
pending at this time, the
stay is lifted.

JUN 30 2004

CLERK'S OFFICE
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATIONMichael J. BeckMichael J. Beck
Clerk of the PanelA CERTIFIED COPY
J. MICHAEL McMAHON

CLERK

BY

Jessica Kloss
DEPUTY CLERK

**SCHEDULE CTO-2 - TAG ALONG ACTIONS
DOCKET NO. 1598
IN RE EPHEDRA PRODUCTS LIABILITY LITIGATION**

DISTRICT DIV. C.A.#

ALABAMA MIDDLE

ALM 1 04-274 Joy Christine Padgett v. NVE Pharmaceuticals, Inc., et al.

CALIFORNIA NORTHERN

~~CAN 5 03-634 Allen Tang v. Muscletech Research & Development, Inc., et al. Opposed 6/29/04~~

ILLINOIS SOUTHERN

ILS 3 03-384 Elizabeth Wigginton, et al. v. Metabolife International, Inc., et al.

KANSAS

KS 2 04-2010 Margaret Chalmers v. Rexall Sundown, Inc., et al.

KS 5 03-4153 Terrice Hale v. Metabolife International, Inc., et al.

KENTUCKY EASTERN

~~KYE 5 04-26 Melissa Cornett v. NVE Pharmaceuticals, Inc., et al. Opposed 6/29/04~~

KENTUCKY WESTERN

~~KYW 5 04-75 Betty Jo McLeod, etc. v. N.V.E., Inc., et al. Opposed 6/29/04~~

LOUISIANA EASTERN

LAE 2 00-3753 Christopher Kitsos v. Metabolife International, Inc., et al.

MINNESOTA

MN 0 03-5233 Sandra M. Waters v. Metabolife International, Inc.

MN 0 03-5777 Rhea L. Mazola, etc., v. Metabolife International, Inc.

MISSISSIPPI SOUTHERN

MSS 1 04-7 Tina S. Bush, etc. v. Trim International, Inc.

MSS 3 04-247 Regina Bynum v. NVE, Inc.

NEW JERSEY

NJ 3 03-5524 Jamie Fox v. Herbalife International of America, Inc., et al.

OKLAHOMA NORTHERN

OKN 4 03-518 George J. Wildman, et al. v. Herbalife International of America, Inc.

PENNSYLVANIA WESTERN

~~PAW 2 02-1461 Nancy Rhone v. Metabolife International, Inc. Opposed 6/29/04~~

TEXAS EASTERN

TXE 1 04-132 Peggy McGuire v. Metabolife International, Inc., et al.

TEXAS NORTHERN

~~TXN 3 03-1902 Joey R. Carter v. Muscle-Tech, Inc., et al. Opposed 6/29/04~~

TXN 3 03-2133 Billy Gene Goble, et al. v. Herbalife International Inc., et al.

SCHEDULE CTO-2-TAG ALONG ACTIONS (MDL-1598)

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TEXAS SOUTHERN

TXS 4 03-215 Alexander G. Hague, et al. v. Metabolife International, Inc., et al.
TXS 4 03-5395 Belinda Wiggins v. Metabolife International, Inc., et al.
~~TXS 4 03-5756 George Paul Barton v. Muscle-Tech, Inc., et al. Opposed 6/29/04~~

WEST VIRGINIA NORTHERN

~~WVN 1 03-135 Lynn Ann Matheny, etc. v. Body Dynamics, Inc., et al. Opposed 6/30/04~~
WVN 2 03-101 Kelly S. Coberly v. Cytodyne Technologies, Inc., et al.

WEST VIRGINIA SOUTHERN

~~WVS 2 03-65 Paul Cross, et al. v. Muscletech Research & Development, Inc., et al. Opposed 6/29/04~~
WVS 2 04-424 Michael Scott Gregory v. Rexall Sundown, Inc., et al.
WVS 3 02-944 Deborah A. Smoot, etc. v. AST Sports Science, Inc., et al.